

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
NOVEMBER 19, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, November 19, 1969, in the City Hall Council Chambers.

ROLL CALL	Present: Councilmen - BROWN CULBERTSON (8:05 p.m.) HUNNELL and KIRSTEN (Mayor)
	Absent: Councilmen - SCHAFFER
	Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen and Planning Director Schroeder.
PLEDGE	Mayor Kirsten led the Pledge of Allegiance to the flag.
MINUTES	On motion of Councilman Brown, Hunnell second, the Minutes of November 5, 1969 were approved as written and mailed. (Councilman Culbertson arrived.)
BOY SCOUTS	Mayor Kirsten acknowledged a group of Boy Scouts who were in the audience and welcomed them to the meeting.

PUBLIC HEARINGS

EXTENDED TIME FOR REMOVAL OF NONCONFORMING SIGNS	Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the proposal of the Planning Commission to extend the time period for the removal of nonconforming signs from May, 1970 to May, 1973. There was no one present who wished to speak on the matter, and the public portion of the hearing was closed. On motion of Councilman Hunnell, Brown second, the Council introduced Ordinance No. 916 amending the Sign Ordinance and thereby extending the time period for the removal of nonconforming signs from May, 1970 to May, 1973.
ORD. NO. 916 INTRODUCED	
ADOPT SPECIFIC PLAN HOWARD ST.	Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the proposal of the Planning Commission to establish a Specific Plan for the future development of Howard Street between West Lockeford Street and Lake Street. Planning Director Schroeder introduced the matter and reviewed the proposed plan. There was no one present who wished to speak on the matter, and the public portion of the hearing was closed. On motion of Councilman Culbertson, Hunnell second, the Council introduced Ordinance No. 917 adopting a Specific Plan for Howard Street between West Lockeford Street and Lake Street.
ORD. NO. 917 INTRODUCED	

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ADOPT SPECIFIC
PLAN N. STOCKTON
STREET
CONTINUED

Notice thereof having been published in accordance with law, Mayor Kirsten called for the public hearing on the proposal of the Planning Commission to establish a Specific Plan for the future development of North Stockton Street between East Turner Road and Lawrence Avenue. Planning Director Schroeder presented the plan recommended by the Planning Commission which showed Stockton Street curving slightly to the west from Lawrence Street to the north line of the City property recently purchased from Mr. T. J. Hallinan and then making the transition to its present alignment along a parcel owned by Stockton Box Company. He stated that this change in alignment would permit the City to install sidewalks along Pioneer Park Stadium on the east side of North Stockton Street without first constructing a retaining wall. Mr. Schroeder explained that the additional right of way to be acquired from Stockton Box Company would be less expensive than constructing the retaining wall.

Mr. Elmer Brown, Chairman of the Recreation and Parks Commission, 721 South Pleasant Avenue spoke against the proposal and stated he felt there was a lack of communications between the Parks and Recreation Department and the Public Works Department. Councilman Culbertson suggested the approach to the stadium be changed and the curve of the street be confined to the Hallinan property so it would not be necessary to acquire right of way from the Stockton Box Company. After discussion by the Council, Councilman Culbertson moved that the hearing be continued and the matter be referred back to the Planning Commission for study concerning the possibility of confining the curve of the street to the Hallinan property. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

Councilman Hunnell then recommended that a representative of the Public Works Department be present at public hearings concerning that department.

REZONE
INDUSTRIAL
DISTRICT
CONTINUED

The proposal to rezone from the M, Industrial District to the M-1, Light Industrial District (1) the area east of Stockton Street and west of Cherokee Lane between Lockeford Street and the Southern Pacific Railroad tracks; (2) the area bounded on the north by Lockeford Street; on the east by the U.S. 50-99 Freeway; on the south by Victor Road; and on the west by Cherokee Lane and (3) the area bounded by Victor Road on the north; U.S. 50-99 Freeway on the east; Lodi Avenue on the south; and the rear property line of property facing the east side of Cherokee Lane on the west, having been continued from the meeting of September 17, 1969, was brought up for further hearing.

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Planning Director Schroeder introduced the matter, stating that the Planning Commission had reaffirmed its previous recommendation that the above-described area be rezoned to the M-1 District.

There was no one in the audience who wished to speak in favor of the rezoning.

Mr. Ed Wisner, 16051 North Willow Avenue and Mr. Charles Parsons, 1108 West Turner Road, representing Lodi Recap Tire Shop, spoke against the proposal. The Council then discussed the proposed zoning. Councilman Culbertson suggested that the Planning Commission re-submit a list of uses for the Industrial District. Councilman Hunnell then moved that the hearing be continued and requested the Planning Commission to resubmit the list of uses for both Commercial and Industrial Districts so that the Council might review the list before rezoning the above-described property. The motion was seconded by Councilman Culbertson.

Planning Director Schroeder pointed out that wrecking yards would be a conforming use in this area under present M, Industrial zoning. He felt this might create problems and the area should be rezoned to one of the new Industrial Districts. After Council discussion concerning the possibility of establishing a moratorium on wrecking yards, the motion passed by the following vote:

Ayes: Councilmen - Brown, Culbertson and Hunnell

Noes: Councilman - Kirsten

Absent: Councilman - Schaffer

The City Manager then stated he would investigate the possibility of establishing a moratorium on wrecking yards within the City of Lodi and report to the Council at the meeting of December 3, 1969.

ASSISTANT SUPT.
OF UTILITIES
INTRODUCED

Mayor Kirsten introduced the recently appointed Assistant Superintendent of Utilities, Samuel Chaney, and welcomed him to the City.

PLANNING COMMISSION

The City Manager gave the following report of the City Planning Commission meeting of November 10, 1969:

FRONTAGE
ROAD

The Planning Commission recommended that the frontage road along the east side of Lower Sacramento Road be

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designated as Mendocino Drive rather than Lower Sacramento Road. On motion of Councilman Brown, Hunnell second, the matter was set for public hearing on December 3, 1969.

OTHER ACTIONS

The Planning Commission took the following actions of interest to the Council:

1. Approved the request of Jim's Body Shop for a use permit to establish an auto body and fender repair shop at 211 East Pine Street in an area zoned C-2, General Commercial.
2. Approved the request of the Lodi Community Church by Mr. Arlie D. Preszler, A.I.A., for a use permit to do new construction at an existing church site at the southeast corner of North California Street and West Turner Road in an area zoned R-2, Single-Family Residential.

COMMUNICATIONS

The City Manager reported a letter had been received from the State Department of Public Works stating that legislation had been passed which provides for implementation of the federal TOPICS program in California.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$223,044.70 were approved on motion of Councilman Brown, Culbertson second.

AWARD - PICKUP TRUCK

RES. NO. 3319

City Manager Graves presented the one bid received for the pickup truck for the Parks Department. The bid was from Loewen Auto Company in the amount of \$2,258. The City Manager recommended the award be made to Loewen Auto Company. On motion of Councilman Hunnell, Brown second, the Council adopted Resolution No. 3319 awarding the bid for the purchase of the pickup truck to Loewen Auto for the amount of the bid.

CAPELL MANOR STREET LIGHTS

RES. NO. 3320

AND

RES. NO. 3321

The City Manager presented a petition for installation of street lights on St. Claire Drive and Rose and California Streets from St. Claire Drive to Vine Street. The petition was certified by the City Clerk to contain signatures of owners of more than 60% of the property described in the petition. The petitioners waived the investigation provided for by the "Special Assessment, Investigation, Limitation and Majority Protest Act of 1931" in connection with the installation. Plans and specifications for the proposed district were also presented. On motion of Councilman

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Hunnell, Culbertson second, the City Council adopted Resolution No. 3320 adopting the plans and specifications for the lights for the Capell Manor Street Lighting District. On motion of Councilman Brown, Hunnell second, the Council adopted Resolution No. 3321 stating the Council's intention to form the Capell Manor Street Lighting District and setting the public hearing thereon for December 17, 1969.

TRUCK
TRAFFIC

City Manager Graves presented a report from the Public Works Director concerning the problem of truck traffic on Tokay Street from Stockton Street to Cherokee Lane. A report on this matter had been requested by the Council at the meeting of October 8, 1969. Copies of the report had been sent to each of the Councilmen prior to the meeting. Mr. Graves reported that the Public Works Director had recommended that the City Council set a public hearing for the purpose of considering the prohibition of commercial vehicles in excess of three tons on Tokay Street between Stockton Street and Cherokee Lane. Councilman Culbertson then moved the matter be set for public hearing on January 21, 1969. The motion was seconded by Councilman Brown. Mr. Darrell E. Hazelbaker, 110 North Loma Drive, spoke, stating that legislation had been recently enacted which would prohibit the City restricting weight on any through street after a public works contract has been awarded. He was concerned about problems which might be created as a result of heavy trucks using City streets during the construction of Interstate 5 freeway west of Lodi. He felt this could result in costly repairs to City streets and he recommended the Council act to restrict truck traffic on other streets within the City. The City Manager was instructed to study the matter and to report back to the Council. The motion then carried by unanimous vote.

ACCEPT OXFORD
WAY CURB,
GUTTER AND
SIDEWALK

On motion of Councilman Hunnell, Culbertson second, the City Council accepted Oxford Way Curb, Gutter and sidewalk as complete and authorized the Public Works Director to file the Notice of Completion on the project.

ACCEPT
SUBDIVISION
PAVING - 1969

On motion of Councilman Brown, Hunnell second, the City Council accepted the improvements in "Subdivision Paving - 1969" as complete and authorized the Public Works Director to file the Notice of Completion on the project.

SPECS. - CARS

The City Manager presented specifications for three automobiles as follows:

One 4-door sedan - Utilities Department
One 4-door sedan, heavy class - City Manager
One 4-door station wagon - Recreation Department

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On motion of Councilman Culbertson, Hunnell second, the specifications were approved and advertising for bids thereon authorized.

CAPACITORS -
SPECIAL
ALLOCATION

The Council unanimously approved, on motion of Councilman Culbertson, Hunnell second, a supplemental allocation in the amount of \$12,663 for additional capacitors for power factor correction.

CLAIM FOR
DAMAGES

On recommendation of City Attorney Mullen, Councilman Culbertson moved the application for leave to file late claim of Mrs. Ella Horst be approved. The motion was seconded by Councilman Brown and carried by unanimous vote.

On motion of Councilman Brown, Hunnell second, the Council denied the claim of Mrs. Ella Horst in the amount of \$5,000 and referred it to the City's Agent of Record, Max Elson.

ORDINANCES

PREZONE 14344
N. WEST LANE
TO R-MD

Ordinance No. 914 entitled, "PREZONING PROPERTY ON THE EAST SIDE OF WEST LANE FROM 2504 FEET TO 2133 FEET SOUTH OF KETTLEMAN LANE TO BE IN THE R-MD, MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT", having been introduced at the meeting of November 5, 1969 was brought up for passage on motion of Councilman Brown, Hunnell second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Brown, Culbertson, Hunnell
and Kirsten

Noes: Councilmen - None

Absent: Councilman - Schaffer

ZONE N. SIDE
W. KETTLEMAN
BETWEEN SOUTH
FAIRMONT AND
CRESCENT TO
R-MD

Ordinance No. 915 entitled, "ZONING PROPERTY ON THE NORTH SIDE OF KETTLEMAN LANE BETWEEN CRESCENT AND FAIRMONT AVENUES TO BE IN THE R-MD, MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT", having been introduced at the meeting of November 5 1969 was brought up for passage on motion of Councilman Culbertson, Brown second. Second reading was omitted after reading by title, and the ordinance was then passed adopted and ordered to print by the following vote:

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Ayes: Councilmen - Brown, Culbertson, Hunnell
and Kirsten

Noes: Councilmen - None

Absent: Councilman - Schaifer

PUBLIC HOUSING

City Manager Graves reported that the City Council would be attending a meeting of the Commissioners of the County of San Joaquin Housing Authority on Thursday evening, November 20, 1969. Councilmen Brown Culbertson and Hunnell said they would attend. Mayor Kirsten stated he would be unable to attend the meeting. Councilman Hunnell requested that the Council review the questions listed at the meeting of November 12, 1969 concerning the housing program. The Council reviewed the questions and deleted items #1, #3, and #7 from the list.


The City Manager commented on his discussion with Mr. Allen Reed of the Housing Authority and reviewed the budget prepared by the Housing Authority for the City. The Council agreed that it would not be financially feasible for the City to establish a local housing authority.

DRUG
PROBLEM

Councilman Hunnell requested the Police Department prepare a report for the Council concerning the extent of drug use among Lodi teenagers. The City Manager stated he would instruct the Police Chief to prepare this report.

ADJOURNMENT

There being no further business, the meeting was adjourned on motion of Councilman Brown at approximately 10:00 p.m.

Attest: 
BESSIE L. BENNETT
City Clerk